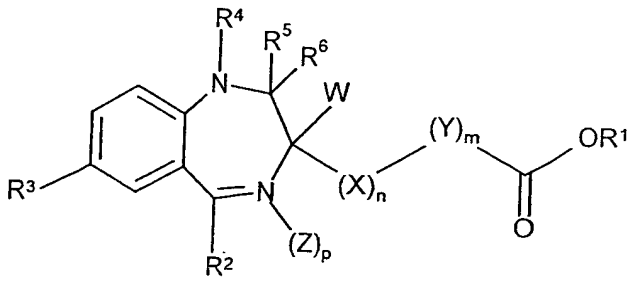
This listing of claims will replace all prior versions of claims in the application.

Claim 1. (currently amended) A compound of formula (I):



Formula (I)

wherein

W is H, a $C_1$-$C_4$ branched alkyl, or straight chained alkyl;

X is $CH_2$, NH or $NCH_3$; n is 1 or 2;

Y is O or $CH_2$; m is 0 or 1, provided that if X is $CH_2$, n is 1 and m is 0, then $R^1$ is not $CH_2CH_3$;

Z is O; p is 0 or 1;

$R^1$ is H, a $C_1$-$C_7$ straight chain alkyl, a $C_3$-$C_7$ branched chain alkyl, a $C_{1-4}$haloalkyl, a $C_3$-$C_7$ cycloalkyl, an aryl, a heteroaryl, an aralkyl, or a heteroaralkyl;

$R^2$ is phenyl, 2-halophenyl or 2-pyridyl,

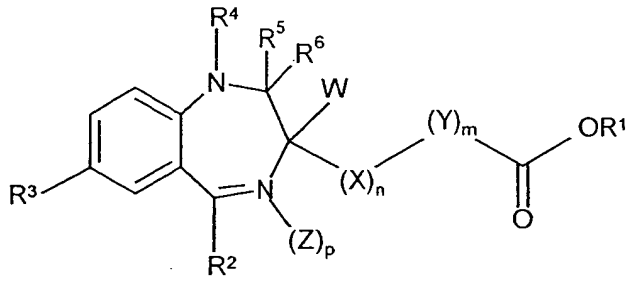
$R^3$ is H, Cl, Br, F, I, $CF_3$ or $NO_2$; and wherein

$R^4$ and $R^5$ together is a double bond in the diazepine ring and $R^6$ represents the group $NHR^7$ wherein $R^7$ is H, $C_{1-4}$ alkyl, benzyl, benzyl mono or disubstituted independently with halogen substituents, $C_{1-4}$alkylpyridyl or $C_{1-4}$ alkylimidazolyl and p is zero;

or a pharmaceutically acceptable salt or solvate thereof.

Claims 2-3. (canceled)

Claim 4. (previously presented) A compound of formula (I):




Formula (I)

wherein

W is H;

X is $CH_2$ or NH; n is 1;

Y is $CH_2$; m is 0 or 1, provided that if X is $CH_2$ and m is 0, then $R^1$ is not $CH_2CH_3$;

p is 0:

$R^1$ is $CH_3$, $CH_2CH_3$, $(CH_2)_2CH_3$, $(CH_2)_3CH_3$, $CH(CH_3)_2$, $CH_2CH(CH_3)_2$, $C(CH_3)_3$, benzyl or 4-pyridylmethyl; provided that when $R^1$ is $CH_3$ or benzyl then m=1;

$R^2$ is 2-fluorophenyl, 2-chlorophenyl or 2-pyridyl,

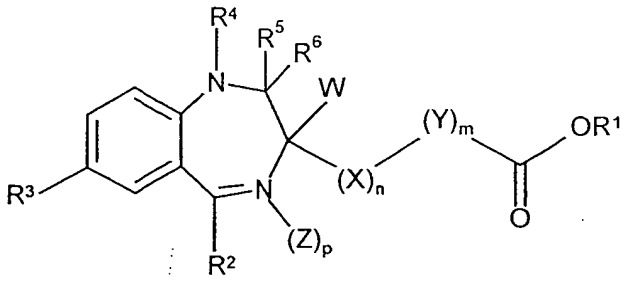
$R^3$ is Cl, Br or $NO_2$;

$R^4$ is H, $CH_3$ or $CH_2CH_2N(CH_2CH_3)_2$;

$R^5$ and $R^6$ together are O or S;

or a pharmaceutically acceptable salt or solvate thereof.

Claim 5. (previously presented) A compound of formula (I):




Formula (I)

wherein

W is H;

X is $CH_2$ or NH; n is 1;

Y is $CH_2$; m is 0 or 1, provided that if X is $CH_2$ and m is 0, then $R^1$ is not $CH_2CH_3$;

p is 0;

$R^1$ is $CH_3$, $CH_2CH_3$, $(CH_2)_3CH_3$, $CH(CH_3)_2$, $CH_2CH(CH_3)_2$, $C(CH_3)_3$, benzyl or 4-pyridylmethyl; provided that when $R^1$ is 4-pyridylmethyl, then X is $CH_2$, n is 1, Y is $CH_2$, m is 1, $R^2$ is 2-fluorophenyl, $R^3$ is Cl, $R^4$ is H and $R^5$ and $R^6$ together are O; and further provided that when $R^1$ is $CH_3$ or benzyl then m=1;

$R^2$ is 2-fluorophenyl, 2-chlorophenyl or 2-pyridyl,

$R^3$ is Cl, Br or $NO_2$;

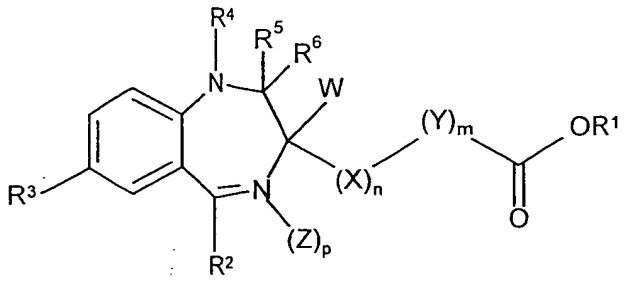
$R^4$ is H, $CH_3$ or $CH_2CH_2N(CH_2CH_3)_2$; provided that when $R^4$ is $CH_2CH_2N(CH_2CH_3)_2$, X is $CH_2$, n is 1, Y is $CH_2$, m is 1, $R^1$ is $CH_3$ or benzyl, $R^2$ is 2-fluorophenyl, $R^3$ is Cl and $R^5$ and $R^6$ together are O;

$R^5$ and $R^6$ together are O or S;

or a pharmaceutically acceptable salt or solvate thereof.

Claims 6-7. (cancelled)

Claim 8. (previously presented) A compound of formula (I):

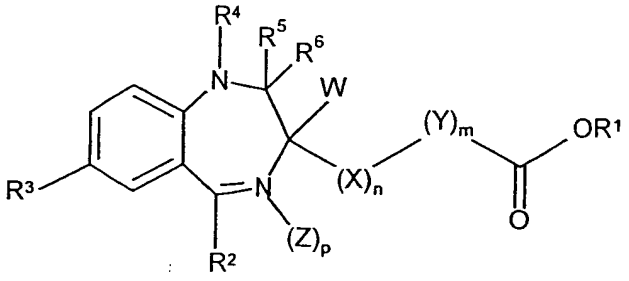


Formula (I)

wherein W is H, p is 0, and X, n, Y, m, $R^{1-6}$ are as follows:

| X | n | Y | m | $R^1$ | $R^2$ | $R^3$ | $R^4$ | $R^5$ and $R^6$ |
|---|---|---|---|---|---|---|---|---|
| $CH_2$ | 1 | $CH_2$ | 1 | $CH_3$ | 2-fluorophenyl | Cl | H | O |
| $CH_2$ | 1 | $CH_2$ | 1 | $CH_3$ | 2-fluorophenyl | Br | H | O |
| $CH_2$ | 1 | $CH_2$ | 1 | $CH_3$ | 2-pyridyl | Cl | H | O |
| $CH_2$ | 1 | $CH_2$ | 1 | $CH_3$ | 2-fluorophenyl | Cl | $CH_3$ | O. |

Claim 9. (previously presented) A compound of formula (I):



Formula (I)

wherein W is H, X is $CH_2$, n is 1, Y is $CH_2$, m is 1, p is 0, $R^1$ is $CH_3$, $R^2$ is 2-fluorophenyl, $R^3$ is Cl, $R^4$ is H and $R^5$ and $R^6$ together are O.

Claim 10. (previously presented) A compound according to claim 1 wherein $R^4$ and $R^5$ together form a double bond in the diazepine ring, $R^6$ is the group $NHR^7$ and p is zero.

Claim 11. (currently amended) A compound according to claim 10, wherein W is H, X is $CH_2$, n is 1, Y is $CH_2$, m is 1, $R^1$ is $CH_3$, $R^2$ is 2-fluorophenyl, 2-chlorophenyl or 2-pyridyl, $R^3$ is Cl or Br and $R^7$ is $CH_3$, $CH_2CH_3$, benzyl, 4-pyridylmethyl-, 4-pyridylethyl, $CH(CH_3)_2$, or 4-imidazolylethyl ~~or $CH_2CH_2OH$~~.

Claim 12. (currently amended) A compound according to claim 10, wherein W is H, X is $CH_2$, n is 1, Y is $CH_2$, m is 1, $R^1$ is $CH_3$, and $R^2$, $R^3$ and $R^7$ are as follows:

| $R^2$ | $R^3$ | $R^7$ |
|---|---|---|
| 2-fluorophenyl | Cl | $CH_3$ |
| 2-pyridyl | Cl | $CH_3$ |
| 2-fluorophenyl | Cl | $CH_2CH_3$ |
| 2-fluorophenyl | Cl | benzyl |
| 2-fluorophenyl | Cl | 4-pyridylmethyl |
| 2-fluorophenyl | Cl | 4-pyridylethyl |
| 2-fluorophenyl | Cl | $CH_2CH(CH_3)_2$ |
| 2-fluorophenyl | Cl | 2-(4-imidazolyl)ethyl |
| ~~2-fluorophenyl~~ | ~~Cl~~ | ~~$CH_2CH_2OH$~~ |
| 2-fluorophenyl | Br | $CH_3$ |
| 2-chlorophenyl | Cl | $CH_3$. |

Claim 13. (previously presented) A compound according to claim 10, wherein W is H, X is $CH_2$, n is 1, Y is $CH_2$, m is 1, $R^1$ is $CH_3$, $R^2$ is 2-fluorophenyl, $R^3$ is chlorine or bromine and $R^7$ is methyl.

Claim 14. (original) A compound according to claim 10, wherein W is H, X is $CH_2$, n is 1, Y is $CH_2$, m is 1, $R^1$ is $CH_3$, $R^2$ is 2-fluorophenyl, $R^3$ is Cl and $R^7$ is $CH_3$.

Claims 15-23. (cancelled)

Claim 24. (previously presented) A method of producing sedation or hypnosis, inducing anxiolysis, inducing muscle relaxation or treating convulsions in a mammal in need thereof which comprises administering to the mammal an effective amount of a compound of claim 1.

Claim 25. (previously presented) A method of producing sedation or hypnosis, inducing anxiolysis, inducing muscle relaxation or treating convulsions in a mammal in need thereof which comprises administering to the mammal an effective amount of a compound of claim 10.

Claims 26-27. (cancelled)

Claim 28. (previously presented) Methyl-3-[(3*S*)-7-chloro-5-(2-fluorophenyl)-2-oxo-2,3-dihydro-1*H*-1,4-benzodiazepin-3-yl]propanoate and pharmaceutically acceptable salts or solvates thereof.

Claim 29. (previously presented) Methyl-3-[(3*S*)-7-chloro-5-(2-fluorophenyl)-2-(methylamino)-3H-1,4-benzodiazepin-3-yl]propanoate and pharmaceutically acceptable salts or solvates thereof.

Claims 30-31. (cancelled)

Claim 32. (previously presented) A pharmaceutical composition comprising a compound of claim 1.

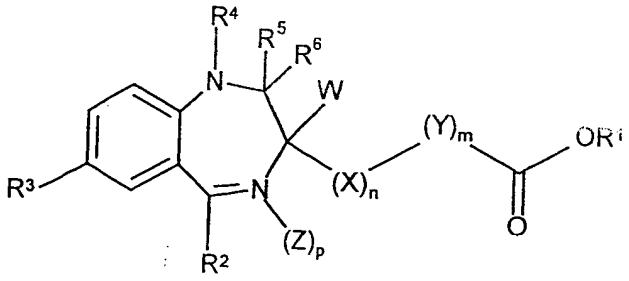
Claim 33. (canceled)

Claim 34. (previously presented) A pharmaceutical composition comprising a compound of claim 28.

Claim 35. (previously presented) A pharmaceutical composition comprising a compound of claim 29.

Claims 36-37. (cancelled)

Claim 38. (currently amended) A compound of formula (I)



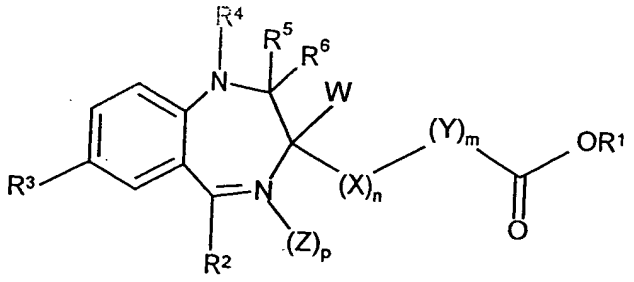

wherein W is H and X, n, Y, m, Z, p and $R^{1-6}$ are as follows:

| X | n | Y | m | Z | p | $R^1$ | $R^2$ | $R^3$ | $R^4$ | $R^5$ and $R^6$ |
|---|---|---|---|---|---|---|---|---|---|---|
| $CH_2$ | 1 | $CH_2$ | 1 | - | 0 | $CH_3$ | 2- | Cl | H | O |

| | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|
| | | | | - | | | fluorophenyl | | | |
| $CH_2$ | 1 | -- | 0 | - - | 0 | $CH_3$ | 2-fluorophenyl | Cl | H | O |
| $CH_2$ | 1 | $CH_2$ | 1 | - - | 0 | $CH_3$ | 2-fluorophenyl | Br | H | O |
| $CH_2$ | 1 | $CH_2$ | 1 | - - | 0 | benzyl | 2-fluorophenyl | Cl | H | O |
| $CH_2$ | 1 | -- | 0 | - - | 0 | benzyl | 2-fluorophenyl | Cl | H | O |
| $CH_2$ | 1 | $CH_2$ | 1 | - - | 0 | $CH_3$ | 2-chlorophenyl | Cl | H | O |
| $CH_2$ | 1 | $CH_2$ | 1 | - - | 0 | $CH_3$ | 2-fluorophenyl | Cl | H | O |
| $CH_2$ | 1 | $CH_2$ | 1 | - - | 0 | benzyl | 2-pyridyl | Cl | H | O |
| $CH_2$ | 1 | $CH_2$ | 1 | - - | 0 | $CH_3$ | 2-pyridyl | Br | H | O |
| $CH_2$ | 1 | $CH_2$ | 1 | - - | 0 | $CH_3$ | 2-pyridyl | Cl | H | O |
| $CH_2$ | 1 | $CH_2$ | 1 | - - | 0 | $C(CH_3)_3$ | 2-fluorophenyl | Cl | H | O |
| $CH_2$ | 1 | $CH_2$ | 1 | - - | 0 | $CH_3$ | 2-fluorophenyl | $NO_2$ | H | O |
| $CH_2$ | 1 | $CH_2$ | 1 | - - | 0 | $(CH_2)_2CH_3$ | 2-pyridyl | Cl | H | O |
| $CH_2$ | 1 | $CH_2$ | 1 | - - | 0 | 4-pyridylmethyl | 2-fluorophenyl | Cl | H | O |
| $CH_2$ | 1 | $CH_2$ | 1 | - - | 0 | $(CH_2)_3CH_3$ | 2-fluorophenyl | Cl | H | O |
| $CH_2$ | 1 | $CH_2$ | 1 | - - | 0 | $(CH_2)_3CH_3$ | 2-pyridyl | Cl | H | O |
| $CH_2$ | 1 | $CH_2$ | 1 | - - | 0 | $CH_2CH(CH_3)_2$ | 2-pyridyl | Cl | H | O |
| $CH_2$ | 1 | -- | 0 | - - | 0 | $CH_2CH_3$ | 2-fluorophenyl | Cl | H | O |
| $CH_2$ | 1 | $CH_2$ | 1 | - - | 0 | $CH(CH_3)_2$ | 2-fluorophenyl | Cl | H | O |
| $CH_2$ | 1 | $CH_2$ | 1 | - - | 0 | $CH_3$ | 2-fluorophenyl | Cl | $CH_2CH_2N(CH_2CH_3)_2$ | O |
| $CH_2$ | 1 | $CH_2$ | 1 | - - | 0 | $CH_3$ | 2-fluorophenyl | Cl | $CH_3$ | O |

| | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|
| $CH_2$ | 1 | -- | 0 | -- | 0 | benzyl | 2-fluorophenyl | Cl | $CH_3$ | O |
| $CH_2$ | 1 | $CH_2$ | 1 | -- | 0 | benzyl | 2-fluorophenyl | Cl | $CH_2CH_2N(CH_2CH_3)_2$ | O |
| NH | 1 | $CH_2$ | 1 | -- | 0 | $CH_3$ | 2-chlorophenyl | Cl | H | O |
| $CH_2$ | 1 | $CH_2$ | 1 | -- | 0 | $CH_3$ | 2-fluorophenyl | Cl | H | S |
| $CH_2$ | 1 | $CH_2$ | 1 | -- | 0 | $CH_3$ | 2-chlorophenyl | Cl | H | S |
| $CH_2$ | 1 | $CH_2$ | 1 | -- | 0 | $CH_3$ | 2-pyridyl | Cl | H | S |
| $CH_2$ | 1 | $CH_2$ | 1 | O | 1 | $CH_3$ | 2-fluorophenyl | Cl | H | O |
| $CH_2$ | 1 | $CH_2$ | 1 | -- | 0 | benzyl | phenyl | $NO_2$ | H | O |
| $CH_2$ | 1 | $CH_2$ | 1 | -- | 0 | $CH_3$ | 2-fluorophenyl | H | H | O |
| $CH_2$ | 1 | $CH_2$ | 1 | -- | 0 | $CH_3$ | 2-pyridyl | $NO_2$ | H | O |
| $CH_2$ | 1 | $CH_2$ | 1 | -- | 0 | benzyl | 2-pyridyl | $NO_2$ | H | O |
| $CH_2$ | 1 | $CH_2$ | 1 | -- | 0 | benzyl | 2-fluorophenyl | H | H | O |
| $CH_2$ | 1 | $CH_2$ | 1 | -- | 0 | $CH_3$ | phenyl | $NO_2$ | H | O |
| $CH_2$ | 1 | -- | 0 | -- | 0 | 3-pyridylmethyl | 2-fluorophenyl | Cl | H | O |
| $CH_2$ | 1 | -- | 0 | -- | 0 | 4-pyridylmethyl | 2-fluorophenyl | Cl | H | O |

Claim 39. (currently amended) A compound of formula (I)



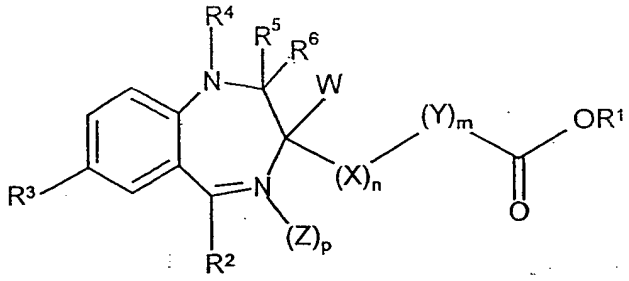

Formula (I)

wherein W is H and X, n, Y, m, Z, p and $R^{1-6}$ are as follows:

| X | n | Y | m | Z | p | $R^1$ | $R^2$ | $R^3$ | $R^4$ | $R^5$ and $R^6$ |
|---|---|---|---|---|---|---|---|---|---|---|
| $CH_2$ | 1 | $CH_2$ | 1 | -- | 0 | $CH_3$ | 2-fluorophenyl | Cl | H | O |
| $CH_2$ | 1 | -- | 0 | -- | 0 | $CH_3$ | 2-fluorophenyl | Cl | H | O |
| $CH_2$ | 1 | $CH_2$ | 1 | -- | 0 | $CH_3$ | 2-fluorophenyl | Br | H | O |
| $CH_2$ | 1 | $CH_2$ | 1 | -- | 0 | benzyl | 2-fluorophenyl | Cl | H | O |
| $CH_2$ | 1 | -- | 0 | -- | 0 | benzyl | 2-fluorophenyl | Cl | H | O |
| $CH_2$ | 1 | $CH_2$ | 1 | -- | 0 | $CH_3$ | 2-chlorophenyl | Cl | H | O |
| $CH_2$ | 1~~2~~ | $CH_2$ | 2~~1~~ | -- | 0 | $CH_3$ | 2-fluorophenyl | Cl | H | O |
| $CH_2$ | 1 | $CH_2$ | 1 | -- | 0 | benzyl | 2-pyridyl | Cl | H | O |
| $CH_2$ | 1 | $CH_2$ | 1 | -- | 0 | $CH_3$ | 2-pyridyl | Br | H | O |
| $CH_2$ | 1 | $CH_2$ | 1 | -- | 0 | $CH_3$ | 2-pyridyl | Cl | H | O |
| $CH_2$ | 1~~2~~ | $CH_2$ | 2~~1~~ | -- | 0 | $C(CH_3)_3$ | 2-fluorophenyl | Cl | H | O |
| $CH_2$ | 1 | $CH_2$ | 1 | -- | 0 | $CH_3$ | 2-fluorophenyl | $NO_2$ | H | O |
| $CH_2$ | 1 | $CH_2$ | 1 | -- | 0 | $(CH_2)_2CH_3$ | 2-pyridyl | Cl | H | O |
| $CH_2$ | 1 | $CH_2$ | 1 | -- | 0 | $CH_2CH_3$ | 2-pyridyl | Cl | H | O |
| $CH_2$ | 1 | $CH_2$ | 1 | -- | 0 | 4-pyridylmethyl | 2-fluorophenyl | Cl | H | O |
| $CH_2$ | 1 | $CH_2$ | 1 | -- | 0 | $(CH_2)_3CH_3$ | 2-fluorophenyl | Cl | H | O |
| $CH_2$ | 1 | $CH_2$ | 1 | -- | 0 | $(CH_2)_3CH_3$ | 2-pyridyl | Cl | H | O |
| $CH_2$ | 1 | $CH_2$ | 1 | -- | 0 | $CH_2CH(CH_3)_2$ | 2-pyridyl | Cl | H | O |
| $CH_2$ | 1 | -- | 0 | -- | 0 | $CH_2CH_3$ | 2-fluorophenyl | Cl | H | O |
| $CH_2$ | 1 | $CH_2$ | 1 | -- | 0 | $CH(CH_3)_2$ | 2-fluorophenyl | Cl | H | O |

| | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|
| $CH_2$ | 1 | $CH_2$ | 1 | -- | 0 | $CH_3$ | 2-fluorophenyl | Cl | $CH_2CH_2N(CH_2CH_3)_2$ | O |
| $CH_2$ | 1 | $CH_2$ | 1 | -- | 0 | $CH_3$ | 2-fluorophenyl | Cl | $CH_3$ | O |
| $CH_2$ | 1 | -- | 0 | -- | 0 | benzyl | 2-fluorophenyl | Cl | $CH_3$ | O |
| $CH_2$ | 1 | $CH_2$ | 1 | -- | 0 | benzyl | 2-fluorophenyl | Cl | $CH_2CH_2N(CH_2CH_3)_2$ | O |
| NH | 1 | $CH_2$ | 1 | -- | 0 | $CH_3$ | 2-chlorophenyl | Cl | H | O |
| $CH_2$ | 1 | $CH_2$ | 1 | -- | 0 | $CH_3$ | 2-fluorophenyl | Cl | H | S |
| $CH_2$ | 1 | $CH_2$ | 1 | -- | 0 | $CH_3$ | 2-chlorophenyl | Cl | H | S |
| $CH_2$ | 1 | $CH_2$ | 1 | -- | 0 | $CH_3$ | 2-pyridyl | Cl | H | S |
| $CH_2$ | 1 | $CH_2$ | 1 | O | 1 | $CH_3$ | 2-fluorophenyl | Cl | H | O |

Claim 40. (previously presented) A compound of formula (I):




Formula (I)

wherein

W is H;

X is $CH_2$ or NH; n is 1;

Y is $CH_2$; m is 0 or 1, provided that if X is $CH_2$ and m is 0, then $R^1$ is not $CH_2CH_3$;

p is 0:

$R^1$ is $CH_2CH_3$, $(CH_2)_2CH_3$, $(CH_2)_3CH_3$, $CH(CH_3)_2$, $CH_2CH(CH_3)_2$, $C(CH_3)_3$, or 4-pyridylmethyl;

$R^2$ is 2-fluorophenyl, 2-chlorophenyl or 2-pyridyl,

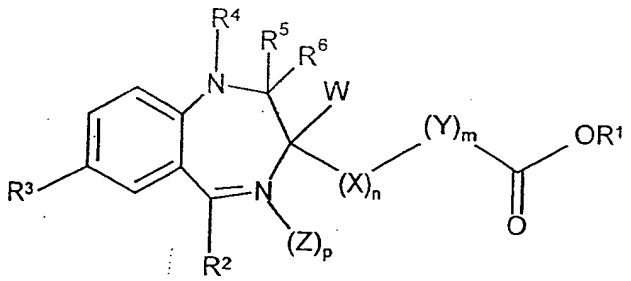
$R^3$ is Cl, Br or $NO_2$;

$R^4$ is H, $CH_3$ or $CH_2CH_2N(CH_2CH_3)_2$;

$R^5$ and $R^6$ together are O or S;

or a pharmaceutically acceptable salt or solvate thereof.

Claim 41. (previously presented) A compound of formula (I):




Formula (I)

wherein

W is H;

X is $CH_2$ or NH; n is 1;

Y is $CH_2$; m is 0 or 1, provided that if X is $CH_2$ and m is 0, then $R^1$ is not $CH_2CH_3$;

p is 0;

$R^1$ is $CH_2CH_3$, $(CH_2)_3CH_3$, $CH(CH_3)_2$, $CH_2CH(CH_3)_2$, $C(CH_3)_3$, or 4-pyridylmethyl; provided that when $R^1$ is 4-pyridylmethyl, then X is $CH_2$, n is 1, Y is $CH_2$, m is 1, $R^2$ is 2-fluorophenyl, $R^3$ is Cl, $R^4$ is H and $R^5$ and $R^6$ together are O;

$R^2$ is 2-fluorophenyl, 2-chlorophenyl or 2-pyridyl,

$R^3$ is Cl, Br or $NO_2$;

$R^4$ is H, $CH_3$ or $CH_2CH_2N(CH_2CH_3)_2$; provided that when $R^4$ is $CH_2CH_2N(CH_2CH_3)_2$, X is $CH_2$, n is 1, Y is $CH_2$, m is 1, $R^1$ is $CH_3$ or benzyl, $R^2$ is 2-fluorophenyl, $R^3$ is Cl and $R^5$ and $R^6$ together are O;

$R^5$ and $R^6$ together are O or S;

or a pharmaceutically acceptable salt or solvate thereof.